

**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**CITY OF MEMPHIS**

**August 18, 2009**

**3:30 P.M. SCHEDULED SESSION**

**3:43 P.M. MEETING COMMENCED**

**ROLL CALL:** William Boyd, Joe Brown, Kemp Conrad, Shea Flinn, Edmund Ford, Jr., Janis Fullilove, Wanda Halbert, Reid Hedgepeth, Bill Morrison, Jim Strickland, Barbara Swearengen Ware and Chairman Harold Collins.

**THE MEETING WAS CALLED TO ORDER  
BY SERGEANT-AT-ARMS**

**INVOCATION**

The meeting was opened with prayer by Pastor Vernon Robinson from Ford Chapel AME Zion Church. Councilman Ford presented Pastor Robinson with a certificate naming him Chaplain of the day.

**These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.**

43. **RESOLUTION SEEKING CITY COUNCIL APPROVAL TO ALLOW THE RIVERFRONT DEVELOPMENT CORPORATION TO UTILIZE THE NET PROCEEDS FROM THE SALE OF 11.04 ACRES OF MUD ISLAND PROPERTY TO COVER ANY FUNDING SHORTFALLS IN CITY CONTRACT NO. 15428 THAT MAY OCCUR IN FY 2010.**

Held to September 1, 2009

**MINUTES**

Approval of the Minutes of the regular meeting of August 4, 2009 with the following motion:

MOTION: Ford

SECOND: Flinn  
AYES: Boyd, Flinn, Ford, Halbert, Morrison, Strickland, Ware and Chairman Collins  
Brown, Conrad, Fullilove and Hedgepeth did not cast a vote

**APPROVED**

2. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTH SIDE OF SUMMER AVENUE; ±1,230 FT. EAST OF GRAHAM STREET, CONTAINING 1.31 ACRE SITE AND IS PARTIALLY REGULATED BY MCDONALD PLANNED DEVELOPMENT (P.D. 97-341); PARTIALLY IN THE SINGLE FAMILY RESIDENTIAL (R-S6) DISTRICT.**

Case No. PD 09-310

Applicant: Charles L. McDonald  
Danny Tabrizi, E.D.S. Inc. – Representative

Request: Motor vehicle sales including an additional lot and additional parking spaces

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Strickland  
SECOND: Morrison  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Morrison, Strickland,  
Ware and Chairman Collins  
Hedgepeth did not cast a vote

**APPROVED**, as amended

3. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE EAST SIDE OF S. PERKINS ROAD, ±241 FEET NORTH OF SPOTTSWOOD AVENUE, CONTAINING 1.35 ACRES AND IS CURRENTLY GOVERNED BY P.D. 08-322.**

Case No. PD 09-314

Applicants: Frank N. Stanley, III & Harry Day  
Farris, Bobango, Branan, PLC-Homer Branan, III –Representative

Request: Planned development amendment to allow additional parking to the rear of a previously approved restaurant building and on the adjacent property to the north, including a small building expansion and a revised front elevation plan

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Strickland  
SECOND: Ware  
AYES: Boyd, Brown, Flinn, Fullilove, Hedgepeth, Morrison, Strickland, Ware and  
Chairman Collins

Conrad, Ford and Halbert did not cast a vote

**APPROVED**, as amended

4. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTHEAST CORNER OF KIRBY PARKWAY AND KIRBY GATE BOULEVARD, CONTAINING 9.51 ACRES AND IS GOVERNED BY THE APPROVED CONDITIONS FOR THE KIRBY GATE BUSINESS CAMPUS PLANNED DEVELOPMENT (PD 99-338) DEVELOPMENT.**

Case No. PD 09-315

Applicant: Mike Hampton  
ETI Corporation (Ralph Smith) – Representative  
Request: Senior Specialty Medical Care Facilities to include Out-Patient Clinic, Acute Care Facility, and Skilled Nursing Facility

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Strickland  
SECOND: Boyd  
AYES: Boyd, Brown, Conrad, Flinn, Fullilove, Morrison, Strickland, Ware and Chairman Collins  
Ford, Halbert and Hedgepeth did not cast a vote

**APPROVED**

5. **RESOLUTION APPROVING A HOTEL WAIVER FOR THE IRIS MOTEL LOCATED ON THE SOUTHEAST CORNER OF LEDGER AVENUE AND ELVIS PRESLEY BOULEVARD. (Reconsidered from 7/07/09 Minutes).**

Case No. HMW 09-01

MOTION: Strickland  
SECOND: Boyd  
AYES: Brown, Conrad, Fullilove, Halbert, Strickland and Ware  
NAYS: Flinn, Ford, Hedgepeth and Chairman Collins  
Boyd and Morrison did not cast a vote

**APPROVED**, as amended

6. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE WEST SIDE OF TCHULAHOMA ROAD; ±953 FT. SOUTH OF SHELBY DRIVE, CONTAINING 9.89 ACRES IN THE SINGLE-FAMILY RESIDENTIAL (R-S8) DISTRICT.**

Case No. SUP 09-211

Chairman Collins recognized the following person who spoke from the audience:

O.M. Cornish, Sr., 4791 Tchulahoma, Mphs, TN 38118

Applicant: Easthaven Community Development Corporation

Request: Residential home for the aged

LUCB and OPD recommendation: APPROVAL

**No Opposition at LUCB; No Public Hearing Required**

MOTION: Strickland

SECOND: Morrison

AYES: Boyd, Brown, Conrad, Fullilove, Halbert, Hedgepeth, Morrison, Strickland,  
Ware and Chairman Collins  
Flinn abstained  
Ford did not cast a vote

**APPROVED**

7. **RESOLUTION APPROVING SITE PLANS LOCATED AT RAINES ROAD AND GRACELAND STREET.**

Case No. Z 09-101

MOTION: Strickland

SECOND: Boyd

AYES: Boyd, Brown, Conrad, Flinn, Halbert, Hedgepeth, Morrison, Strickland,  
Ware and Chairman Collins  
Ford and Fullilove did not cast a vote

**APPROVED**

8. **ORDINANCE AMENDING ORDINANCE NO. 4647, BY CORRECTING AN ADMINISTRATIVE ERROR IN THE LEGAL DESCRIPTION OF THE PROPERTY REZONED FROM (AG) TO (I-L) WHICH WAS APPROVED BY MEMPHIS CITY COUNCIL ON MARCH 2, 1999. THIS PROPERTY IS LOCATED ON THE NORTH SIDE OF HOLMES ROAD, +/-1,640 FEET EAST OF LAMAR AVENUE, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5326

Case No. Z 98-157cc

Applicant: Imad Nahhas/OPD

Request: Correct the faulty legal description of the property re-zoned from A-G to I-L District as approved by the Memphis City Council on March 2, 1999

OPD recommendation: APPROVAL, of the corrected legal description

LUCB recommendation: APPROVAL, of the rezoning of this property on  
December 10, 1998

MOTION: Strickland

SECOND: Boyd

AYES: Boyd, Brown, Conrad, Flinn, Fullilove, Halbert, Hedgepeth, Morrison, Ware  
and Chairman Collins

Ford and Strickland did not cast a vote

**APPROVED**

**CONSENT AGENDA – Items 9-11 may be acted upon by one motion: SEE PAGE 3000 FOR ROLL CALL**

9. **ORDINANCE AMENDING CHAPTER 2, ARTICLE 1, SECTION 2-10 OF THE CODE OF ORDINANCES SO AS TO AMEND THE MEMBERSHIP REQUIREMENTS OF THE BOARD OF ETHICS OF THE CITY OF MEMPHIS, UP FOR F I R S T READING.**  
Ordinance No. 5327

**APPROVED**, on First reading

10. **RESOLUTION ACCEPTING ROBINSON WAY PD, AND AUTHORIZING RELEASE OF BOND.**

Case No. PD 02-317  
(Contract No. CR-4968)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the west side of Shady Grove Road, 372.44 feet south of Wood Way Drive. The standard improvement contract was approved. Resolution also authorizes the release of the Letter of Credit performance bond in the amount of \$75,000.00.

City Engineer recommends approval

**APPROVED**

11. **RESOLUTION ACCEPTING TULIP CREEK SUBDIVISION, SECTION B AND AUTHORIZING RELEASE OF BOND.**

Case No. S 99-012cc  
(Contract No. CR-4756)

Resolution accepts completion of the improvements and the dedication of public streets and easements as shown on the final plat located on the east side of Covington Pike, 140.82 feet north of Mandy Smith Drive.

The standard improvement contract was approved on September 6, 2005. Resolution also authorizes the release of the performance bond in the amount of \$5,000.00.

City Engineer recommends approval

**APPROVED**

**ROLL CALL CONSENT ITEMS**

MOTION: Ware  
SECOND: Morrison  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and Chairman Collins

**APPROVED**

**MLGW FISCAL CONSENT – Items 13- 26 may be acted upon by one motion:**

13. **RESOLUTION AWARDDING CONTRACT NO. 11338, TELECOMMUNICATIONS SYSTEM FOR CUSTOMER CARE CENTER, TO BLACK BOX NETWORK SERVICES IN THE FUNDED AMOUNT OF \$275,446.71.**

**APPROVED**

14. **RESOLUTION AWARDDING CONTRACT NO. 11347, ELEVATOR MAINTENANCE, TO KONE, INC. IN THE FUNDED AMOUNT OF \$149,499.60.**

**APPROVED**

15. **RESOLUTION APPROVING CONTRACT NO. 11374, MASTER TRUST/CUSTODY SERVICES FOR RETIREMENT AND PENSION SYSTEM, WITH THE NORTHERN TRUST COMPANY.**

**APPROVED**

16. **RESOLUTION APPROVING CONTRACT NO. 11375, MASTER TRUST/CUSTODY SERVICES FOR COMMON FUND, WITH THE NORTHERN TRUST COMPANY.**

**APPROVED**

17. **RESOLUTION APPROVING CONTRACT NO. 11376, ACTUARIAL/CONSULTING SERVICES FOR RETIREMENT AND PENSION SYSTEM (PLAN) AND OPEB (TRUST), WITH THE SEGAL COMPANY.**

**APPROVED**

18. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11107, ELECTRONIC BILL PRESENTMENT AND PAYMENT SERVICES, WITH KUBRA**

**DATA TRANSFER, LTD, IN THE FUNDED AMOUNT OF \$88,000.00. (THIS CHANGE EXTENDS THE CURRENT TERM UNTIL DECEMBER 31, 2009).**

**APPROVED**

19. **RESOLUTION APPROVING CHANGE NO. 3 TO CONTRACT NO. 11191, TELEVISION PRODUCTION AND BROADCAST SERVICES, WITH MEDIA SOURCE IN THE FUNDED AMOUNT OF \$38,685.00. (THIS CHANGE RENEWS THE CONTRACT FOR THE SECOND OF FOUR RENEWAL TERMS, SEPTEMBER 1, 2009 TO AUGUST 31, 2010 AND INCLUDES 75 HOURS OF ON-LOCATION VIDEO TAPING OF INTERVIEWS AND SUPPORTING FOOTAGE FOR SHOW SEGMENTS).**

**APPROVED**

20. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11269, INFORMATION SERVICES SUPPORT, WITH SOFTWARE RESOURCE CONSULTANTS IN THE FUNDED AMOUNT OF \$145,000.00. (THIS CHANGE COVERS ADDITIONAL CONTRACT RESOURCES TO ASSIST IN THE DISCOVERY SESSION AND THE INITIAL PHASES FOR THE ORACLE EBUSINESS SUITE IMPLEMENTATION FOR PROCUREMENT AND CONTRACTS).**

**APPROVED**

21. **RESOLUTION AWARDED CONTRACT FOR ONE CABLE FAULT LOCATOR TO HIPOTRONICS C/O UTILITY SPECIALISTS IN THE AMOUNT OF \$32,875.00.**

**APPROVED**

22. **RESOLUTION RENEWING CONTRACT WITH PATTERSON WELDING SERVICE FOR A 24-MONTH PERIOD FOR REPAIR AND FABRICATION OF SUBSTATION OIL BREAKERS IN THE AMOUNT OF \$180,000.00.**

**APPROVED**

23. **RESOLUTION AWARDED 36-MONTH CONTRACT FOR EXCAVATABLE FLOWABLE FILL TO METRO MATERIALS IN THE AMOUNT OF \$4,681,280.00.**

**APPROVED**

24. **RESOLUTION AUTHORIZING MLGW TO ENTER INTO AN INTERDIVISIONAL COOPERATIVE AGREEMENT WITH THE CITY OF MEMPHIS TO PURCHASE UNLEADED AND LOW SULFUR DIESEL FUEL UNDER CITY OF MEMPHIS CONTRACT NO. 24577 AND EXTEND MLGW PURCHASE ORDER NO. 134890 WITH TRUMAN ARNOLD, COVERING THE 12-MONTH PERIOD OF SEPTEMBER 3, 2009 TO SEPTEMBER 3, 2010, IN THE AMOUNT OF \$7,200,000.00, WITH OPTION TO EXTEND AN ADDITIONAL 12 MONTHS.**

**APPROVED**

25. **RESOLUTION APPROVING PAYMENT OF ANNUAL MEMBERSHIP DUES TO THE TENNESSEE MUNICIPAL ELECTRIC POWER ASSOCIATION IN THE AMOUNT OF \$25,023.00.**

**APPROVED**

26. **RESOLUTION APPROVING PAYMENT OF INVOICE FROM THE TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION FOR ANNUAL FACILITY MAINTENANCE FEE FOR PUBLIC WATER SYSTEMS IN THE AMOUNT OF \$124,901.70, PAYABLE TO THE TREASURER, STATE OF TENNESSEE.**

**APPROVED**

MOTION: Strickland – Separate Item #12  
SECOND: Flinn

Without Objection, Item #12 is separated

**MLGW ROLL CALL CONSENT ITEMS**

MOTION: Ware  
SECOND: Ford  
AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Halbert, Morrison, Strickland, Ware and  
Chairman Collins  
Brown and Hedgepeth did not cast a vote

**APPROVED**, with the exception of Item #12

**After a discussion with MLGW and Council Attorney, Chairman Collins stated that we will hold this item until we get further determination from the Courts**

12. **RESOLUTION APPROVING FULL AND FINAL SETTLEMENT OF ALL CLAIMS BY THE CITY OF MEMPHIS AND JOSEPH LEE, III IN AN AMOUNT UP TO \$426,422.33.**  
(Held from 7/21)

Chairman Collins recognized the following person who spoke from the audience:

Charles Farmer, 4611 Buffer Dr., Mphs, TN 38128

Held to September 1, 2009. Set up as Special Item #1

1. **RESOLUTION RECOGNIZING VICTORIA GEORGE AND HOMER VANARSDALE, JR., WINNERS OF THE “DO THE WRITE THING CHALLENGE” PROGRAM.**



MOTION: Collins  
SECOND: Fullilove

**APPROVED**, by unanimous voice vote

27. **RESOLUTION APPROVING THE MEMPHIS CITY SCHOOLS' BUDGET FOR 2009-2010.** (Held from 7/21; 8/4).

Chairman Collins recognized the following persons who spoke from the audience:

Yvonne Acey, 5340 Norma Dr., Mphs, TN 38109  
Chris Caldwell, 244 Angelus, Mphs, TN 38112  
Sylvia Loyd-Chism, 361 W. Holmes Rd., Mphs, TN 38109  
Charles Farmer, 4611 Buffer Dr., Mphs, TN 38128  
Charles Scott, 3689 Huckleberry St., Mphs, TN 38116

MOTION: Fullilove  
SECOND: Ware  
AYES: Boyd, Brown, Conrad, Flinn, Fullilove, Halbert, Hedgepeth, Morrison, Strickland, Ware and Chairman Collins  
Ford recused

**APPROVED**

28. **APPOINTMENTS**

**ANIMAL SHELTER ADVISORY COMMITTEE**

Appointment

Cindy Marx-Sanders

MOTION: Flinn  
SECOND: Ford  
AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Morrison, Strickland, Ware and Chairman Collins  
Brown, Halbert and Hedgepeth did not cast a vote

**APPROVED**

49. **APPOINTMENTS**

Appointment

Director of Public Services & Neighborhoods

Janet Hooks

MOTION: Flinn  
SECOND: Morrison  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Hedgepeth, Morrison, Strickland,  
Ware and Chairman Collins  
Halbert did not cast a vote

**APPROVED**

29. **ORDINANCE FIXING TAX RATE OF THE CITY OF MEMPHIS FOR THE BOARD OF EDUCATION OF THE MEMPHIS CITY SCHOOLS, UP FOR T H I R D AND F I N A L READING.** (Held from 7/7; 7/21; 8/4)

Ordinance No. 5319

Chairman Collins recognized the following persons who spoke from the audience:

Emily L. Aver, 4963 Lynbar Ave., Mphs, TN 38117  
Arya Azada, 2258 Tidmington, Mphs, TN 38016  
Charles Farmer, 4611 Buffer Dr., Mphs, TN 38128  
Zachary Monroe, 6650 Kirby Trace Cv., Mphs, TN 38119  
Anna Peterson, 417 S. Main St., Apt. 201, Mphs, TN 38103

Held to September 1, 2009

30. **ORDINANCE AMENDING CHAPTER 2, ARTICLE V, DIVISION 3, OF THE CODE OF ORDINANCES, TO ESTABLISH REQUIREMENTS FOR A CITY OF MEMPHIS FLEET AND EMPLOYEE TAKE HOME VEHICLES, UP FOR T H I R D AND F I N A L READING.** (Held from 8/4)

Ordinance No. 5323

Chairman Collins recognized the following persons who spoke from the audience:

Charles Farmer, 4611 Buffer Dr., Mphs, TN 38128

Held to September 1, 2009

31. **ORDINANCE TO AMEND CHAPTER 21, ARTICLE III, OF THE CODE OF ORDINANCES, SO AS TO PROHIBIT USING TEXT MESSAGING SERVICES WHILE OPERATING A MOTOR VEHICLE, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5324

MOTION: Boyd  
SECOND: Flinn  
AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Strickland, Ware and  
Chairman Collins  
Brown and Morrison did not cast a vote

**APPROVED**

32. **ORDINANCE TO AMEND CHAPTER 21, CODE OF ORDINANCES, CITY OF MEMPHIS, TO MODIFY SECTION 21-80 (B) OF THE TRAFFIC CONTROL PHOTOGRAPHIC SYSTEM REQUIREMENTS, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5325

Chairman Collins recognized the following person who spoke from the audience:

Charles Farmer, 4611 Buffer Dr., Mphs, TN 38128

Held to September 1, 2009

33. **RESOLUTION REQUESTING THE CITY COUNCIL TO APPROPRIATE \$6,000.00 FUNDED BY G.O. BONDS GENERAL IN CIP PROJECT #GA03001, SERVICE VEHICLES, FOR MEMPHIS AREA TRANSIT AUTHORITY, TO FUND THE LOCAL SHARE FOR THE PURCHASE OF SERVICE VEHICLES IN FISCAL YEAR 2010 AS PART OF THE FISCAL YEAR 2010 CAPITAL IMPROVEMENT BUDGET.**

MOTION: Boyd

SECOND: Ford

AYES: Boyd, Brown, Conrad, Ford, Fullilove, Halbert, Morrison, Ware and Chairman Collins

Flinn, Hedgepeth, Strickland and Ware did not cast a vote

**APPROVED**

34. **RESOLUTION REQUESTING THE CITY COUNCIL TO APPROPRIATE \$32,000.00 FUNDED BY G.O. BONDS GENERAL TO CIP PROJECT #GA03023, OPERATIONS/MAINTENANCE FACILITY, FOR MEMPHIS AREA TRANSIT AUTHORITY, TO FUND THE LOCAL SHARE OF A PORTION OF A FEASIBILITY STUDY FOR AN OPERATIONS/MAINTENANCE FACILITY AS PART OF THE FISCAL YEAR 2010 CAPITAL IMPROVEMENT BUDGET.**

MOTION: Boyd

SECOND: Strickland

AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Strickland, Ware and Chairman Collins

Morrison did not cast a vote

**APPROVED**

35. **RESOLUTION REQUESTING THE CITY COUNCIL TO APPROPRIATE \$250,000.00 FUNDED BY G.O. BONDS GENERAL TO CIP PROJECT #GA03022, ADVANCED PUBLIC TRANSPORTATION SYSTEMS, FOR MEMPHIS AREA TRANSIT AUTHORITY, TO FUND THE LOCAL SHARE OF COSTS AS PART OF THE FISCAL YEAR 2010 CAPITAL IMPROVEMENT BUDGET.**

MOTION: Boyd  
SECOND: Ford  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Strickland,  
Ware and Chairman Collins  
Morrison did not cast a vote

**APPROVED**

36. **RESOLUTION REQUESTING THE CITY COUNCIL TO APPROPRIATE \$379,000.00 FUNDED BY G.O. BONDS GENERAL IN CIP PROJECT #GA03007, BUS REPLACEMENT, FOR MEMPHIS AREA TRANSIT AUTHORITY, TO FUND THE LOCAL SHARE FOR THE PURCHASE OF 10 REPLACEMENT BUSES IN FISCAL YEAR 2010 AS PART OF THE FISCAL YEAR 2010 CAPITAL IMPROVEMENT BUDGET.**

MOTION: Boyd  
SECOND: Strickland  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Strickland,  
Ware and Chairman Collins  
Morrison did not cast a vote

**APPROVED**

37. **RESOLUTION REQUESTING THE CITY COUNCIL TO APPROPRIATE \$478,000.00 FUNDED BY G.O. BONDS GENERAL IN CIP PROJECT #GA03011, PARATRANSIT BUSES, FOR MEMPHIS AREA TRANSIT AUTHORITY, TO FUND THE LOCAL SHARE FOR THE PURCHASE OF 13 PARATRANSIT BUSES IN FISCAL YEAR 2010 AS PART OF THE FISCAL YEAR 2010 CAPITAL IMPROVEMENT BUDGET.**

MOTION: Boyd  
SECOND: Ford  
AYES: Boyd, Conrad, Flinn, Fullilove, Halbert, Strickland, Ware and Chairman  
Collins  
Brown, Ford, Hedgepeth and Morrison did not cast a vote

**APPROVED**

38. **RESOLUTION REQUESTING THE CITY COUNCIL TO APPROPRIATE \$5,250,000.00 FUNDED BY G.O. BONDS GENERAL IN CIP PROJECT #GA03018, PREVENTIVE MAINTENANCE, TO FUND COSTS FOR MAINTENANCE OF CAPITAL ASSETS FOR THE MEMPHIS AREA TRANSIT AUTHORITY IN FISCAL YEAR 2010 AS PART OF THE FISCAL YEAR 2010 CAPITAL IMPROVEMENT BUDGET.**

MOTION: Boyd  
SECOND: Strickland  
AYES: Boyd, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Strickland, Ware and

Chairman Collins  
Brown and Morrison did not cast a vote

**APPROVED**

39. **RESOLUTION APPROPRIATING THE SUM OF \$425,000.00 IN OTHER PROJECT COST FUNDED BY G.O. BONDS GENERAL TO CONTINUE THE IMPLEMENTATION OF THE URBAN ART PLAN, CIP PROJECT NUMBER EN01003, CHARGEABLE TO FY 2010 CAPITAL IMPROVEMENT BUDGET.**

MOTION: Conrad  
SECOND: Strickland  
AYES: Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Strickland, Ware and Chairman Collins  
Boyd and Morrison did not cast a vote

**APPROVED**

40. **RESOLUTION TO AMEND AND APPROPRIATE FY 2010 OPERATING BUDGET TO INCLUDE FEDERAL FUNDING FOR SHELTER PLUS CARE GRANT PROGRAM FOR FAMILY SERVICES OF THE MID-SOUTH, IN THE AMOUNT OF \$311,100.00.**

MOTION: Ford  
SECOND: Strickland  
AYES: Boyd, Brown, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Strickland, Ware and Chairman Collins  
Conrad and Morrison did not cast a vote

**APPROVED**

41. **RESOLUTION TO AMEND AND APPROPRIATE FY 2010 OPERATING BUDGET TO INCLUDE FEDERAL FUNDING FOR SHELTER PLUS CARE GRANT PROGRAM FOR FRIENDS FOR LIFE, INC., IN THE AMOUNT OF \$129,732.00.**

MOTION: Ford  
SECOND: Strickland  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Strickland, Ware and Chairman Collins  
Morrison did not cast a vote

**APPROVED**

42. **RESOLUTION TO CLARIFY THE LANGUAGE OF THE RESOLUTION TO EXEMPT CERTAIN CITY OF MEMPHIS POLICE OFFICERS FROM RESIDENCY REQUIREMENT WHOSE DUTIES REQUIRE THEM TO PERFORM SERVICES ON BEHALF OF THE CITY OUTSIDE OF THE TERRITORIAL LIMITS OF THE CITY OF MEMPHIS AND ALLOWING CERTAIN POLICE OFFICERS TO RESIDE NO GREATER THAN 20 MILES OUTSIDE OF THE BOUNDARIES OF SHELBY COUNTY, TENNESSEE UPON PAYMENT OF ANNUAL FEE.**

MOTION: Flinn  
SECOND: Strickland  
AYES: Boyd, Conrad, Flinn, Fullilove, Hedgepeth, Morrison, Strickland and Chairman Collins  
NAYS: Brown, Ford, Halbert and Ware

**APPROVED**

44. **RESOLUTION TRANSFERRING AN ALLOCATION AND APPROPRIATION OF \$496,750.00 FUNDED BY FEDERAL GRANTS FROM A/E TO CONSTRUCTION IN GA01002, AND APPROPRIATES AN ADDITIONAL \$7,302,000.00 FUNDED BY FEDERAL GRANTS AND \$2,580,711.00 FUNDED BY G.O. BONDS GENERAL IN GA01002 FOR THE CONSTRUCTION OF BEALE STREET LANDING PHASE 3.**

MOTION: Strickland  
SECOND: Ford  
AYES: Brown, Conrad, Flinn, Ford, Fullilove, Morrison, Strickland, Ware and Chairman  
Boyd, Halbert and Hedgepeth did not cast a vote

**APPROVED**

45. **RESOLUTION INCLUDING ZOO MAJOR MAINTENANCE, CIP PROJECT NUMBER PK09002, AS PART OF THE FY 2010 CAPITAL IMPROVEMENT PROGRAM. THE CITY OF MEMPHIS HAS ENTERED INTO AN AGREEMENT WITH THE MEMPHIS ZOOLOGICAL SOCIETY WHICH PROVIDES FOR THE USE AND PAYMENT OF THE CURRENT AND FUTURE CAPITAL APPROPRIATION. THE RESOLUTION SEEKS TO APPROPRIATE \$250,000.00 IN CONSTRUCTION FUNDS, FUNDED BY G.O. BONDS GENERAL.**

Chairman Collins recognized the following person who spoke from the audience:

Charles Farmer, 4611 Buffer Dr., Mphs, TN 38128

MOTION: Strickland  
SECOND: Morrison  
AYES: Brown, Conrad, Flinn, Fullilove, Halbert, Morrison, Strickland, Ware and Chairman Collins

Boyd, Ford and Hedgepeth did not cast a vote

**APPROVED**

46. **RESOLUTION AMENDING THE FY 2010 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATING \$220,000.00 FUNDED BY SEWER FUNDS FROM REHAB EXISTING SEWERS, PROJECT NUMBER SW02001 TO CONCRETE REPLACEMENT FY09, PROJECT NUMBER SW02077 AND TO EXTEND A CONSTRUCTION CONTRACT WITH TRIPLE K CONSTRUCTION.**

MOTION: Boyd  
SECOND: Strickland  
AYES: Boyd, Brown, Flinn, Fullilove, Strickland, Ware and Chairman Collins  
Conrad, Ford, Halbert, Hedgepeth and Morrison did not cast a vote

**APPROVED**

47. **RESOLUTION AMENDING THE FY 2010 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATING \$700,000.00 FUNDED BY G. O. BONDS-GENERAL FROM STREET LIGHTING, PROJECT NUMBER PW01093 TO STREET LIGHTING FY10, PROJECT NUMBER PW01209, TO REIMBURSE MEMPHIS, LIGHT, GAS AND WATER FOR COST INCURRED IN CONNECTION WITH SERVICING, REPLACING, AND REMOVING EXPRESSWAY STREET LIGHT POLES.**

MOTION: Boyd  
SECOND: Brown  
AYES: Boyd, Brown, Flinn, Fullilove, Ware and Chairman Collins  
Conrad, Ford, Halbert, Hedgepeth, Morrison and Strickland did not cast a vote

**APPROVED**

48. **RESOLUTION AMENDING THE FY 2010 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATING \$5,339,000.00 FUNDED BY GO BONDS – GENERAL FROM ASPHALT PAVING, PROJECT NUMBER PW01040 TO ASPHALT PAVING FY10, PROJECT NUMBER PW01208, FOR PAVING DONE BY CITY EMPLOYEES.**

Chairman Collins recognized the following person who spoke from the audience:

Charles Farmer, 4611 Buffer Dr., Mphs, TN 38128

MOTION: Boyd  
SECOND: Brown  
AYES: Boyd, Brown, Flinn, Ford, Fullilove, Halbert, Strickland, Ware and Chairman Collins

Conrad, Hedgepeth and Morrison did not cast a vote

**APPROVED**

MOTION: Ford – Suspend the Rules for the purpose of adding an item  
SECOND: Fullilove  
AYES: Brown, Flinn, Ford, Fullilove, Halbert, Ware and Chairman Collins  
Boyd, Conrad, Hedgepeth, Morrison and Strickland did not cast a vote

**APPROVED**, Rules suspended. Set up as Special Item #2

50. **RESOLUTION AMENDING THE FISCAL YEAR 2010 CIP BUDGET BY ESTABLISHING THE FAIRGROUNDS REDEVELOPMENT BUDGET LINE IN THE AMOUNT OF \$3,200,000.00. FUNDS WILL BE TRANSFERRED FROM CD01080 PYRAMID ACQUISITION AND ARE IN EXCHANGE FOR A \$3,200,000.00 ALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANTS (CDBG) FUNDS-FAIRGROUNDS REDEVELOPMENT CD01081, PROVIDED BY HOUSING AND COMMUNITY DEVELOPMENT.**

MOTION: Ford  
SECOND: Boyd  
AYES: Boyd, Brown, Flinn, Ford, Fullilove, Halbert, Strickland, Ware and Chairman Collins  
Conrad, Hedgepeth and Morrison did not cast a vote

**APPROVED**

**MINUTES**

Approval of the Minutes of the regular meeting of August 18, 2009 for Items 49 and 50 only:

MOTION: Ford  
SECOND: Flinn  
AYES: Brown, Flinn, Ford, Fullilove, Halbert, Strickland, Ware and Chairman Collins  
Boyd, Conrad, Hedgepeth and Morrison did not cast a vote

**APPROVED**

**INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:**

Chairman Collins recognized the following persons who spoke from the audience:

Leo Awgowhat, 3777 Walsingham, Mphs, TN 38128  
Walter Broady, III, 4256 Ledbetter Cv., Mphs, TN 38109  
Joseph Byrd, 4133 Barnstable, Mphs, TN 38125



Charles Farmer, 4611 Buffer Drive, Mphs, TN 38116  
David Moore, 3412 Park Ave., Mphs, TN 38111  
Min. Yahweh, 775 Porter, Mphs, TN 38126

**ADJOURNED MEETING AT 7:05 P.M.**

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Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

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C H A I R M A N

Attest:

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Deputy Comptroller/Council Records